

Ser. No. 10/519,036
Amdt. dated April 15, 2008
Reply to Office Action of January 9, 2008

PU020317

Remarks/ArgumentsRECEIVED
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APR 15 2008

35 U.S.C. §102

Claims 1-6, 8-13, and 15-20, stand rejected under 35 U.S.C. §102(e) as being anticipated by Zimmerman et al. (U.S. Patent No. 2003/0093789).

The present invention, as recited by the amended claim 1, describes a television signal receiver having an emergency alert function, comprising: a tuner operative to tune a frequency including emergency alert signals indicating a type of emergency event; and a processor operative to enable an alert output responsive to the emergency alert signals, wherein the alert output is provided in accordance with a user selectable alert mode corresponding to the type of emergency event.

It is respectfully asserted that Zimmerman et al. fail to disclose a system "wherein the alert output is provided in accordance with a user selectable alert mode corresponding to the type of emergency event," as described in currently amended claim 1.

The present invention teaches a processor operative to enable an emergency alert output, wherein "the alert output is provided in accordance with a user selectable alert mode corresponding to the type of emergency event," as recited by the present claim 1. The problem addressed in the subject application is the inability of a user to readily determine from an alert output whether the particular emergency event is one which may require immediate action. (page 2, lines 5-13) Furthermore, the use of a common alert for every type of emergency event may tend to desensitize users towards output alerts in general since all alert outputs may appear to be the same.

To solve this problem, the subject application teaches a television signal receiver having an emergency alert function. The receiver includes a tuner that is operative to tune a frequency that includes emergency alert signals that indicate a type of emergency event. The tuner also includes a processor that is operative to enable an alert output that is responsive to the emergency alert signals. The alert output is provided in accordance with a user selectable alert mode corresponding to the type of emergency event.

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The present claimed invention addresses the inefficiencies of specialized emergency radios and the lack of user customization. Thus, the present claimed invention provides a television apparatus that incorporates the monitoring of emergency signals. In order to help users differentiate between warnings, the present claimed invention allows the user to customize the alerts used for the individual types of emergencies.

The present claimed invention does not merely "filter" the alerts based on the alert type, but permits the user to set different modes of alarm when different types of alerts are received. Specifically, when receiving alerts from the national weather service a user receives many different types of alerts. However, the alerts may be of varying importance to the user based on their type. For instance, a user is more concerned with a tornado alert when compared to an alert for a rainstorm. Thus, the present claimed invention allows the user to choose how he would like to differentiate between the alerts, by choosing how the alerts should be handled. Certain alerts may simply flash a message on the television screen. Other alerts may cause the system to switch to the emergency audio channel, while some other alerts may both flash an emergency message on the screen and switch to the emergency audio channel. In this way, the user can differentiate between three different categories of alerts. Additionally, a user may opt for certain alerts to not cause any alarms whatsoever.

Zimmerman teaches that "there are disclosed systems for monitoring broadcast content and generating notification signals as a function of subscriber profiles and methods of operating the same. According to an exemplary embodiment, a monitoring system is introduced that is capable of identifying special event content within a plurality of broadcast content streams, each of the plurality of broadcast content streams having detectable content attributes. The monitoring system is operable to (i) sense a content change within at least one of the plurality of broadcast content streams as a function of the detectable content attributes, (ii) detect the special event content broadcast within the at least one of the plurality of broadcast content streams as a function of the sensed content change, and (iii) selectively generate a notification signal as a function of the detected special event content and a subscriber profile." (Zimmerman et al. abstract)

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The Office Action asserts that Zimmerman "discloses in Figure 3 a television signal receiver 315 having an emergency alert function, comprising: a tuner 310 operative to tune a frequency including emergency alert signals indicating a type of emergency event [0012 lines 1-6]; and a processor operative to enable an alert output responsive to the emergency alert signals, wherein the alert output is provided in accordance with a user selectable alert mode corresponding to the type of emergency event [0012 lines 6-8]."

Applicant respectfully disagrees with Examiner's assertion that Zimmerman et al. disclose a system "wherein the alert output is provided in accordance with a user selectable alert mode corresponding to the type of emergency event," as described in currently amended claim 1. Instead, it is respectfully asserted that Zimmerman uses the profile to determine whether an alert should be presented and to specify a contact method, but not to provide user selectable alert modes corresponding to the type of emergency event.

For example, Zimmerman Fig. 4, step 420 describes the step, "**PROCESS EACH DETECTED SPECIAL EVENT AS A FUNCTION OF ASSOCIATED THRESHOLD VALUES AND A SUBSCRIBER PROFILE TO DETERMINE WHETHER TO NOTIFY THE SUBSCRIBER**," (emphasis added) but not the determination of an alert mode based on event type. Paragraph 0013 of Zimmerman describes the subscriber profile as defining whether an event may be of interest to a subscriber, but not the mode by which an alert for a particular emergency event type would be presented. Paragraph 0020 describes a subscriber profile specifying "how the subscriber is to be contacted" if the event meets an importance threshold, but again does not describe configuration of alert mode based upon the type of emergency event.

Thus, Zimmerman is disclosing use of the profile to determine whether to notify the user and the generic contact method, but not to determine an alert mode based upon the type of emergency event. Therefore, Zimmerman fails to disclose a system "wherein the alert output is provided in accordance with a user selectable alert mode corresponding to the type of emergency event," as described in amended claim 1. Thus, it is also respectfully submitted that Zimmerman does not anticipate the present invention as recited in claim 1 and that claim 1 is therefore allowable in light of Zimmerman.

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In view of the above remarks and amendments to the claims, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Zimmerman that makes the present invention as claimed in claim unpatentable. It is further submitted that currently amended independent claims 8 and 15 are allowable for at least the same reasons that claim 1 is allowable. Since dependent claims 2-7, 9-14, 16-21 are dependent from allowable claims 1, 8, and 15, respectively, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

35 U.S.C. §103

Claims 7, 14, and 21, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zimmerman et al. (U.S. Patent No. 2003/0093789) in view of Letzt et al. (U.S. Patent No. 5,612,869).

As claims 7, 14, and 21 are dependent upon allowable claims 1, 8, and 15 respectively, as described above, it is respectfully submitted that they too are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

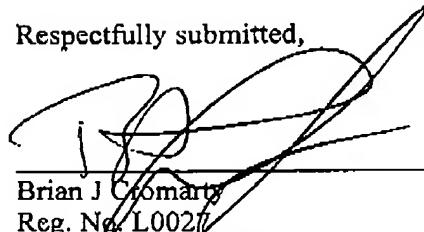
Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

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No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

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